

FILED

OCT 25 2013

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CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 13-CR-93 JST
)	
)	STIPULATION TO EXCLUDE TIME UNDER
)	SPEEDY TRIAL ACT AND PROPOSED ORDER
v.)	
)	
JONATHAN MOTA)	
)	
Defendant)	

The parties appeared before the Honorable Jon S. Tigar on October 25, 2013 for a hearing on defendant's Motion to Dismiss and Motion to Suppress. Assistant U.S. Attorneys Kathryn Haun and William Frentzen represented the United States, and Richard B. Mazer, Esq. and Mark Goldrosen, Esq. represented the defendant. The parties moved for an exclusion of time, noting that such exclusion was sought in an abundance of caution given the pending defense motions may automatically serve to exclude time. *See* 18 U.S.C. Section 3161(h)(1)(D). The parties also requested that the November 18, 2013 previously-scheduled appearance before this Court be vacated and that the parties appear instead on December 2, 2013. The Court found and held as follows:

STA [PROPOSED] ORDER
13-CR-93 JST

1 1. An exclusion of time under the Speedy Trial Act, 18 U.S.C. Section 3161, from OCTOBER
2 25, 2013 through DECEMBER 2, 2013, is necessary in light of the need for effective preparation of the
3 case by defendant's counsel. Failure to grant the requested continuance would unreasonably deny
4 defense counsel the time necessary for effective preparation, taking into account the exercise of due
5 diligence and the need for counsel to conduct further investigation. This is especially true given the
6 government's ongoing production of discovery.


7 2. Given these circumstances, the Court found that the ends of justice served by excluding the
8 period from OCTOBER 25, 2013 through DECEMBER 2, 2013, outweigh the best interest of the public
9 and the defendant in a speedy trial. 18 U.S.C. Section 3161(h)(7)(A).

10 3. Accordingly, and with the consent of the defendant, the Court ordered that the period from
11 OCTOBER 25, 2013 through DECEMBER 2, 2013, was excluded from Speedy Trial Act calculations
12 under 18 U.S.C. Section 3161(h)(7)(A) & (B)(ii) and (iv).

13 4. The previously-scheduled appearance on November 18, 2013 is VACATED and the parties
14 shall appear before this Court on December 2, 2013 at 2:00 p.m.

15
16 IT IS SO ORDERED.

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18
19 DATED: 10/25/13


JON S. TIGAR
United States District Court Judge